

REMARKS

Applicants have responded to the restriction requirement, and the two requirements to elect species as presented below.

Changes to the Claims:

Claim 4 has been amended to clarify the relationship among the elements of each of the recited groups of materials. Claim 4 has also been amended to correct minor errors, as have claims 5,6, and 8.

Interview With the Examiner:

The following is Applicants' summary of the Interview with the Examiner of April 29, 2008, and matter recited in the Examiner's Interview Summary form mailed May 12, 2008.

- 1) Application Serial No. 10/563,078
- 2) Applicant name: Chen et al.
- 3) Date of interview: April 29, 2008.
- 4) Type: Telephonic.
- 5) Participants: 1) Leslie S. Garmaise (Reg. # 47,587), Applicants' representative;
2) Examiner Nissa M. Westerberg.
- 6) No exhibit was shown.
- 7) The Examiner's reliance on Dahlhausen et al. (U.S. Patent No. 4,324,779) was briefly discussed. The Examiner and the Applicants' representative mostly discussed the election of inventions and election of species required for response to the outstanding Office Action. The Examiner also explained the application of rules for election of inventions and species to National Stage Applications filed under 35 U.S.C. § 371.
- 8) Agreement was generally reached regarding the contents of Applicants' reply to the outstanding Office Action. The subject matter agreed upon related to the manner in which Applicants were expected to elect species from among available options in response to the Examiner's election requirement. This response was prepared in accordance with the instructions received from the Examiner during the Interview.

Restriction Requirement:

In response to the restriction requirement, Applicants elect Group I including claims 1-14, drawn to a drop pill, without traverse. Applicants reserve the right to prosecute in one or more divisional applications whatever subject matter is not examined or allowed here. Applicants reserve their right to rejoinder in the event a generic claim is allowed.

First Species Election:

Applicants elect, without traverse, specific matrix adjuvant composition “erythritol” from the compositions recited in claim 4, consistent with the Examiner’s instructions during the Interview conducted on April 29, 2008. The elected species reads on claims 1 and 4. Though Applicants have elected a single composition from among those recited in claim 4, in accordance with the Examiner’s requirement, Applicants respectfully request that the other compositions recited in claim 4 also be searched.

Second Species Election:

Applicants elect presence of the plastifying component. The term “plastifying compound” is recited in the Office Action. However, Applicants have interpreted the species election requirement to refer to the “plastifying components,” as recited in claim 6. Applicants further elect “starch and their derivatives” as the plastifying compound. This election reads on claims 6-12. This election is made without traverse. Consistent with the contents of the interview conducted April 29, 2008, the Applicants respectfully request that the other plastifying compounds recited in claims 6 and 7 be searched.

Application No. 10/563,078
Response dated May 19, 2008
Reply to Restriction Requirement of November 19, 2007

Attorney Docket No. 601-5

Conclusion:

Early and favorable action is earnestly solicited based on the foregoing. The fee for a 5-month extension of time is enclosed. However, in the event there are any additional fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

Dated: May 19, 2008

Respectfully submitted,

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